

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Northern District of California

THE BOARD OF TRUSTEES, in their capacities as Trustees  
of the LABORERS HEALTH AND WELFARE TRUST FUND  
FOR NORTHERN CALIFORNIA; LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN CALIFORNIA; LABORERS PENSION  
TRUST FUND FOR NORTHERN CALIFORNIA; and LABORERS  
TRAINING AND RETRAINING TRUST FUND FOR NORTHERN  
CALIFORNIA,

*Plaintiff(s)*

v.

Civil Action No.

PREMIER BUILDERS INC., a California Corporation,

*Defendant(s)*

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

**PREMIER BUILDERS INC., a California Corporation  
c/o Agent for Service of Process: Susan J. Farotte  
8360 Burchell Road  
Gilroy, CA 95020**

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

**Barry E. Hinkle, Bar No. 071223  
Concepcion E. Lozano-Batista, Bar No. 227227  
Tracy L. Mainguy, Bar No. 176928  
WEINBERG ROGER & ROSENFELD  
1001 Marina Village Parkway, Suite 200  
Alameda, CA 94501**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_ , a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: